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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ.

Writ Petition No.1774 /2005

Petitioner		Rudra Pratap Singh Dev, S/o. Ram Narayan Singh Dev, Aged about 39 years, R/o. Rajapara, Kanker (C.G.)
		Versus
Respondents	1.	State of Chhattisgarh, Through the Secretary Revenue, Mantralay, D.K.S. Bhawan, Raipur (C.G.)
	2.	The Collector, Kanker, District Kanker (C.G.)
	3.	The Tahsildar, Kanker, Tahsil Office – Kanker.
	4.	The Commissioner, Land Records & Settlement, Mantralay, D.K.S. Bhawan, Raipur (C.G.)

Present : Shri Kishore Bhaduri, learned counsel for the petitioner.
Shri Sanjay S. Agrawal, learned counsel for the State/respondents.

ORAL ORDER
(Passed on 21.6.2006)

Although the pleadings filed in this writ petition by the petitioner reflects otherwise, in the course of submission, learned counsel for the petitioner would submit that after the excess land held by the Deity, Agni Kumari Devi was taken over by the State Authorities under the provisions of the Agricultural Holding Act 1960, (for short 'the Act'); the petitioner has been left with 30 acres of land as shown in Annexure-P/1; six acres out of the said 30 acres of land is wrongly shown to be a part of the land taken over by the State Authorities under the Act. Learned counsel would further submit that the petitioner would be permitted to make appropriate application to the Commissioner, Land Records & Settlement, the 4th respondent herein within a time-frame and if such an application is

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made, to direct the 4th respondent to consider and dispose of the same on merit within a time-frame.

(2) Having heard the learned counsel for the parties, I dispose of the writ petition directing that if the petitioner makes an application as noted above, within a period of one month from today, the 4th respondent shall consider and dispose of the said application on merit in accordance with law within a period of three months from the date of receipt of the application. Before parting with the case, I, however, make it clear that the direction issued by the Court would not be a suggestive of the facts that the petitioner has made out any ground for deleting six acres of land as shown to be a part of the surrendered land as reflected in the map taken over by the State Authorities. That question has to be decided by the 4th respondent on merit and on the basis of the materials on record. No costs.

Sd/-
Chief Justice